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4 Attorneys for Plaintiff, Catherine Bernardi
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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
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15 IN RE: BEXTRA AND CELEBREX
16 MARKETING SALES PRACTICES AND
17 PRODUCT LIABILITY LITIGATION

) Case No. 05-CV-1699

) MDL NO. 1699

) District Judge: Charles R. Breyer

18 Kenneth Kaye, et al., v. Pfizer Inc., MDL
19 No.05-3798: Plaintiff Catherine Bernardi,

)
)
) **STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE**

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21 Come now the Plaintiff, CATHERINE BERNARDI, and Defendants, by and through the
22 undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby
23 stipulate to the dismissal of this action **with prejudice** with each side bearing its own attorneys'
24 fees and costs.
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1 DATED: Feb 6, 2007

STRATTON FAXON

2 By: [Signature]
3 Michael Stratton
4 Attorneys for Plaintiff, Catherine Bernardi

5 DATE: 6, 2007

DLA PIPER US LLP

6 By: [Signature]
7 Matthew Lepore
8 Attorneys for Defendants, Pfizer Inc.

9
10 DATED: Feb 6, 2007

GORDON & REES LLP

11 By: [Signature]
12 Stuart M. Gordon
13 Attorneys for Defendants, Pfizer Inc.

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15 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**
16 **IT IS SO ORDERED.**

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18 Dated: Feb. 07, 2007

19 Hon. Charles R. Breyer
20 United States District Court

